

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724**

THIS DOCUMENT RELATES TO:

CVS Pharmacy, Inc. v. Actavis Elizabeth, LLC, et al.

**HON. CYNTHIA M. RUFÉ
Individual Case No. 20-6310**

ORDER

AND NOW, this 19th day of January 2021, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendants to Respond to the complaint filed by CVS Pharmacy, Inc., it is hereby **ORDERED** that the Stipulation is **APPROVED**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

*CVS Pharmacy, Inc. v. Actavis Elizabeth, LLC,
et al.*

**MDL 2724
16-MD-2724**

HON. CYNTHIA M. RUFÉ

Individual Case No.: 2:20-cv-06310-CMR

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE DEADLINE FOR
DEFENDANTS TO RESPOND TO PLAINTIFF'S COMPLAINT**

WHEREAS, Plaintiff CVS Pharmacy, Inc. ("Plaintiff") filed a Complaint on December 15, 2020, in *CVS Pharmacy, Inc. v. Actavis Elizabeth, LLC, et al.*, Case No. 2:20-cv-06310-CMR, which appears as a related case in *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, Defendants Actavis Elizabeth, LLC; Actavis Holdco U.S., Inc.; Actavis Pharma, Inc.; Alvogen, Inc.; Amneal Pharmaceuticals, Inc.; Amneal Pharmaceuticals LLC; Amneal Pharmaceuticals of New York, LLC; Apotex Corp.; Ascend Laboratories, LLC; Aurobindo Pharma USA, Inc.; Bausch Health Americas, Inc.; Bausch Health US, LLC; Breckenridge Pharmaceutical, Inc.; Camber Pharmaceuticals, Inc.; Citron Pharma, LLC; DAVA Pharmaceuticals, LLC; Dr. Reddy's Laboratories, Inc.; Emcure Pharmaceuticals, Ltd.; Epic Pharma, LLC; Fougera Pharmaceuticals Inc.; Generics Bidco I, LLC; Glenmark Pharmaceuticals Inc., USA; Greenstone LLC; G&W Laboratories, Inc.; Heritage Pharmaceuticals, Inc.; Hikma Pharmaceuticals USA, Inc.; Hikma Labs Inc.; Impax Laboratories, LLC; Jubilant Cadista Pharmaceuticals Inc.; Lannett Company, Inc.; Lupin Pharmaceuticals, Inc.; Mayne Pharma Inc.; Morton Grove Pharmaceuticals, Inc.; Mylan Inc.; Mylan Institutional Inc.; Mylan Pharmaceuticals, Inc.; Mylan N.V.; Oceanside Pharmaceuticals, Inc.; Par Pharmaceutical Companies, Inc.; Par Pharmaceutical, Inc.; Perrigo New York, Inc.¹; Pfizer Inc.; Sandoz Inc.; Sun

¹ Perrigo Company, plc is not a Stipulating Defendant.

Pharmaceutical Industries, Inc.; Taro Pharmaceuticals U.S.A., Inc.; Taro Pharmaceutical Industries Ltd.; Teligent, Inc.; Teva Pharmaceuticals USA, Inc.; Torrent Pharma Inc.; Upsher-Smith Laboratories, LLC; Viatris Inc.; West-Ward Columbus Inc; Wockhardt USA LLC; Zydus Pharmaceuticals (USA) Inc., (collectively, “Stipulating Defendants”) have agreed to waive service of the Complaint and the parties have reached an agreement to extend the time within which the Stipulating Defendants must move against, answer, or otherwise respond to the Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of the parties, as follows:

1. The Stipulating Defendants waive service of Plaintiff’s Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. The deadline for the Stipulating Defendants to respond to Plaintiff’s Complaint shall be ADJOURNED until such time that the Court enters a Case Management Order setting such a schedule.

3. This stipulation does not constitute a waiver by the Stipulating Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

IT IS SO STIPULATED.

Dated: January 15, 2021

/s/ Ethan E. Litwin
Ethan E. Litwin
Matthew L. Cantor
CONSTANTINE CANNON LLP
335 Madison Avenue
New York, New York 10017
(212) 350-2700
elitwin@constantinecannon.com
mcantor@constantinecannon.com

/s/ Allison F. Sheedy
Allison F. Sheedy
CONSTANTINE CANNON LLP

/s/ Jan P. Levine
Jan P. Levine
TROUTMAN PEPPER HAMILTON
SANDERS LLP
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799
Tel: (215) 981-4000
Fax: (215) 981-4750
jan.levine@troutman.com

/s/ Sheron Korpus
Sheron Korpus
KASOWITZ BENSON TORRES LLP

1001 Pennsylvania Avenue, N.W., Suite
1300N
Washington, D.C. 20004
(202) 204-3500
asheedy@constantinecannon.com

1633 Broadway
New York, New York 10019
Tel: (212) 506-1700
Fax: (212) 506-1800
skorpus@kasowitz.com

Counsel for Plaintiff CVS Pharmacy, Inc.

/s/ Devora W. Allon
Devora W. Allon, P.C.
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022
(212) 909-3344
devora.allon@kirkland.com
alexia.brancato@kirkland.com

/s/ Sarah F. Kirkpatrick
Sarah F. Kirkpatrick
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Phone: (202) 434-5000
Fax: (202) 434-5029
skirkpatrick@wc.com

/s/ Chul Pak
Chul Pak
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
1301 Avenue of the Americas, 40th Fl.
New York, NY 10019
Tel: (212) 999-5800
Fax: (212) 999-5899
cpak@wsgr.com

Liaison Counsel for Defendants